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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,316	12/12/2003	Daisuke Katsuta	501.43326X00	9072
20457 7590 01/09/2008 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873			EXAMINER NELSON, FREDA ANN	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 01/09/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/733,316

Applicant(s)

KATSUTA ET AL.

Examiner

Freda A. Nelson

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 8-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

The amendment received on September 27, 2007 is acknowledged and entered.

Claims 1 and 13 have been amended. Claims 5, 11, and 17 have been canceled. No claims have been added. Claims 1-4, 6-10, 12-16, and 18 are currently pending.

Response to Amendments and Arguments

Applicant's arguments with respect to claims 1-4, 6-10, 12-16, and 18 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 08/16/2007 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. A Copy of PTO-1449 is attached hereto.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The examiner is unable to determine from the claim language "subjecting said acquired digital image to an image falsification prevention treatment; detecting a defect on said object by processing image resulting from being subjected to said image falsification prevention treatment and extracting a feature of a detected defect; and transmitting said digital image which has been subjected to said image falsification prevention treatment and information corresponding to said detected defect via communications means" what an image falsification prevention treatment is because the claim limitation was not described in the specification in such a way as to reasonably convey how to make or use the invention.

Examiner's Note

Examiner cites particular pages, columns, paragraphs and/or line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shinoda et al. (US PG Pub. 20010027450).

As per claim 1, Shinoda et al. disclose a method for transmitting image information comprising the steps of:
imaging an object by using a digital camera means so that a digital image of said object is acquired ([0013]);

subjecting said acquired digital image to an image falsification prevention treatment ([0006]-[0008]);

transmitting said digital image which has been subjected to said image falsification prevention treatment and information corresponding to said detected defect via communications means ([0006]-[0008]); and
receiving said processed digital image and information corresponding to said detected defect ([0062]; FIG. 1);

checking said received digital image to detect a presence of image falsification ([0062]);

storing said received and falsification checked digital image and information of said detected defect in a memory ([0043]); and

outputting the received and falsification checked data and information of the detected defect to a display device ([0062]; FIG. 1).

Shinoda et al. does not expressly disclose and extracting a feature of a detected defect, however, it is old and well known in photography to extract defects from images. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Shinoda et al. to include the feature of extracting defects in order to t

2. Claims 2-3 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinoda et al. (US PG Pub. 20010027450), In view of Obradovich (US Patent Number 6,525,768).

As per claims 2-3, Shinoda et al. disclose the method for transmitting image information wherein said image falsification prevention treatment is embedding an electronic watermark ([0006]-[0008]).

Shinoda et al. does not expressly disclose said embedded electronic watermark includes at least one of information relating to the place and time at which said object was imaged comprises longitude and latitude information received from a GPS, and standard time information; and wherein said information relating to the place where said object was imaged composes one or more types of information selected from air temperature, humidity, illumination, intensity of ultraviolet radiation, altitude, air pressure, wind velocity, degree of cleanliness and sound.

However, Obradovich discloses that the camera is a digital camera and the image formed by the digital camera is stored on memory contained within the PCD device, along with a GPS stamp wherein the GPS stamp is placed within the picture image in a manner similar to the placing of a time or date stamp on a digital image picture (col. 23, lines 20-26). Obradovich further discloses that the GPS stamp is placed into the image by overriding areas of memory with the GPS provided data; and the GPS stamp provides latitude and longitude information (col. 23, lines 32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Shinoda et al. to include the feature of Obradovich in order to provide a convenient way of accurately placing the location of images (Obradovich; col. 23, lines 33-34).

As per claims 10-11, Shinoda et al. discloses transmitting image information wherein said image falsification prevention treatment is embedding an electronic watermark in said digital image([0006]-[0008]).

Shinoda et al. does not expressly said embedded electronic watermark includes at least one of the place and time where said object was imaged, the person who performed the imaging, and information relating to the environment at the place where said imaging was performed; and wherein said image falsification prevention treatment is embedding an electronic watermark in said digital image, and said embedded electronic watermark includes at least one of air temperature, humidity, illumination, intensity of ultraviolet radiation, altitude, air pressure, wind velocity, degree of

cleanliness and sound. However, Obradovich discloses that the camera is a digital camera and the image formed by the digital camera is stored on memory contained within the PCD device, along with a GPS stamp wherein the GPS stamp is placed within the picture image in a manner similar to the placing of a time or date stamp on a digital image picture (col. 23, lines 20-26). Obradovich further discloses that the GPS stamp is placed into the image by overriding areas of memory with the GPS provided data; and the GPS stamp provides latitude and longitude information (col. 23, lines 32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Shinoda et al. to include the feature of Obradovich in order to provide a convenient way of accurately placing the location of images (Obradovich; col. 23, lines 33-34).

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shinoda et al. (US PG Pub. 20010027450), in view of Obradovich (Patent Number 6,525,768), still in further view of Davis (Patent Number 6,512,856).

As per claim 4, Shinoda et al. does not disclose that the name or code number of a person performing the imaging who acquired said digital image is further added to said digital image information.

However, Davis discloses a digital imaging system that can be enabled to automatically stamp additional information onto a digital image during the image creation process can enhance the usability of the digital imaging system wherein the stamping information can be a company name or symbol, or it can be information used

to track which imaging system was used to create the reproduction or it can be the name of the person creating the reproduction (col. 2, lines 50-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Iseki et al. to include the feature of Davis in order to permit the person performing the imaging to stamp other pertinent data, including his name to images.

4. Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinoda et al. (US PG Pub. 20010027450), in view of Obradovich (Patent Number 6,525,768), still in further view of Hartley (Patent Number 5,388,129).

As per claim 9, Shinoda et al. does not expressly disclose the method for transmitting image information wherein said object is welded and a welded part of said object has been subjected to a penetrant test processing or a magnetic particle test processing and said welded part is imaged in the step of imaging.

Hartley discloses that ultrasonic examination may be used to detect subsurface weld anomalies such as subsurface cracks, local thinning, or other anomalies; and dye penetrant inspections, magnetic particle testing, and eddy current inspection may also be used to detect subsurface weld anomalies (col. 3, lines 11-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Shinoda et al. to include the feature of Obradovich and Davis in order to permit inspecting welds to provide stamped data pertaining to the conditions

of the place where the objects were imaged, as well as, permitting the person performing the imaging to stamp other pertinent data including his name to images.

As per claim 12, Shinoda et al. does not expressly disclose the method wherein defects in said welded parts are detected by subjecting said digital image to image processing.

However, Hartley discloses that ultrasonic examination may be used to detect subsurface weld anomalies such as subsurface cracks, local thinning, or other anomalies; and dye penetrant inspections, magnetic particle testing, and eddy current inspection may also be used to detect subsurface weld anomalies (col. 3, lines 11-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Shinoda et al. to include the feature of Obradavich and Davis in order to permit inspecting welds to provide stamped data pertaining to the conditions of the place where the objects were imaged, as well as, permitting the person performing the imaging to stamp other pertinent data including his name to images.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday -Wednesday and Friday, 10:00 AM -6:30 PM.

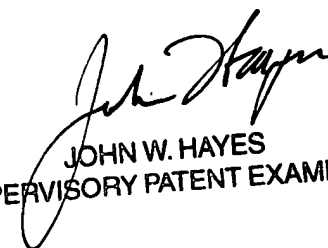
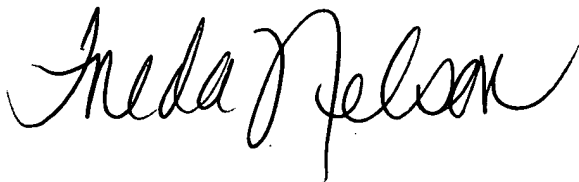
Application/Control Number:
10/733,316
Art Unit: 3628

Page 10

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FAN 01/07/08



JOHN W. HAYES
SUPERVISORY PATENT EXAMINER